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Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

KIMBERLY ALLEN, Personal  
Representative of the Estate of TODD  
ALLEN, Individually, on Behalf of the  
Estate of TODD ALLEN, and On Behalf  
of the Minor Child, PRESLEY GRACE  
ALLEN

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. 3:04-cv-0131-JKS

UNITED STATES'  
NOTICE OF APPEAL

Notice is hereby given, pursuant to Rule 3 of the Federal Rules of  
Appellate Procedure, that the Defendant United States of America appeals to the

United States Court of Appeals for the Ninth Circuit from the Judgment and the findings of fact, conclusions of law, and decision entered by the district court in this action on November 29, 2007 [Docket 138, 137].

RESPECTFULLY SUBMITTED on January 25, 2008, in Anchorage, Alaska.

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s/Gary M. Guarino  
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**CERTIFICATE OF SERVICE**

I hereby certify that on January 25, 2008,  
a copy of the foregoing **Notice of Appeal** was served  
electronically on Donna McCready.

s/ Gary M. Guarino